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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
) BOX MISSING PARTS
David HUNG)
) Attorney Docket: 05284.00130
Serial No.: 09/923,791)
)
Filed: August 8, 2001)
)
For: Identification of Viral Agents In Breast)
Ducts And Antiviral Therapy Therefore)

RESPONSE TO NOTICE TO FILE MISSING PARTS

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Response to the U.S. Patent and Trademark Office "Notice To File Missing Parts Of Nonprovisional Application" mailed September 17, 2001, applicant is hereby submitting the executed declaration for filing in the subject application.

Accordingly, it is respectfully requested that the filing date of August 8, 2001, be granted to this application which is the filing date the original specification and drawings were filed with the U.S. Patent and Trademark Office.

The Commissioner is hereby authorized to charge the \$495.00 (\$65.00 surcharge for filing the Declaration; \$370.00 application filing fee and \$60 additional claim fees)

to Deposit Account 19-0766. A Fee Transmittal for FY 2001 is being filed concurrently herewith. Please charge any additional fees to Deposit Account No. 19-0733, in the event any variance exists between the amount authorized and the Patent Office fees.

Respectfully submitted,

By: Brian E. Hanlon
Brian E. Hanlon
Registration No. 40,449

Banner & Witcoff, Ltd.
1001 G Street, N.W.
11th Floor
Washington, D.C. 20231
Telephone: 202-508-9100
Dated: 11/6/01

FEE TRANSMITTAL

FEE
For FY 2002

NOV 06 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

495

Complete if Known

Application Number	09/923,791
Filing Date	August 8, 2001
First Named Inventor	David Hung
Examiner Name	Unknown
Group / Art Unit	Unknown
Attorney Docket No.	005284.00130

METHOD OF PAYMENT (check one)

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

19-0733

Deposit
Account
Name

Banner & Witcoff, Ltd.

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.16 and 1.17
-
- ☒
- Applicant claims small entity status.
-
- See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	370
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 370)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
22 -20 ** =	2	9	18
Independent Claims	4 -3 ** =	1	42
Multiple Dependent			0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 60)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 65)

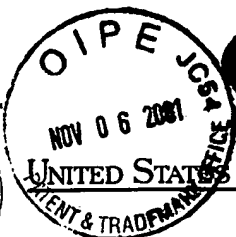
SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Brian E. Hanlon	Registration No. Attorney/Agent)	40,449	Telephone	202-508-9100
Signature	Brian E. Hanlon			Date	11/6/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



#3 N Page 1 of 1
SECTOR \$

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/923,791	08/08/2001	David Hung	05284.00130

22907
BANNER & WITCOFF
1001 G STREET N W
SUITE 1100
WASHINGTON, DC 20001

CONFIRMATION NO. 9920

FORMALITIES LETTER



OC00000006560732

Date Mailed: 09/17/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

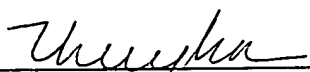
FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$58.
 - \$18 for 2 total claims over 20.
 - \$40 for 1 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 478.

A copy of this notice MUST be returned with the reply.


Customer Service Center
Initial Patent Examination Division (703) 308-1202

11/07/2001 EHAILE1 00000030 09923791

01 FC:201	370.00 CH
02 FC:202	42.00 CH
03 FC:203	18.00 CH
04 FC:205	65.00 CH

PART 2 - COPY TO BE RETURNED WITH RESPONSE

~~11/07/2001 EHAILE1 00000030 190733 09923791~~

~~01 FC:201 370.00 CH~~
~~02 FC:202 42.00 CH~~
~~03 FC:203 18.00 CH~~